

## **CERTAIN PROPERTY TAX CONSULTING WORK BY APPRAISERS**

Important questions have been raised regarding the authority of the Texas Appraiser Licensing and Certification Board (the Board) over property tax consulting related work done by appraisers licensed or certified by the Board. The Board has prepared the following Frequently Asked Questions (FAQs) to explain the Board's policy.

### **WHAT IS THE BOARD'S AUTHORITY OVER PROPERTY TAX CONSULTANT WORK PREPARED AND PERFORMED BY A LICENSED OR CERTIFIED APPRAISER?**

As of May 27, 2011, Chapter 1103 of the Texas Occupation Code (the Act) grants jurisdiction over all valuation work performed by appraisers. This includes "Uniform & Equal" (U&E) studies, and any other property tax consulting services done by a licensed or certified appraiser operating solely under their appraiser license. That work is required to comply with the Uniform Standards of Professional Appraisal Practices (USPAP) by both federal and state law. Beginning December 1, 2012, the Board will assert this jurisdiction and investigate credible written complaints alleging violations of USPAP in connection with property tax consulting services performed by appraisers, acting as an appraiser.

### **WHAT IS REQUIRED OF AN APPRAISER PERFORMING PROPERTY TAX CONSULTING WORK OPERATING SOLELY UNDER HIS OR HER APPRAISER LICENSE?**

If a report is produced for the purposes of a property tax protest, and is signed by the appraiser acting as an appraiser, the report must include the appraiser's license or certification number and must be USPAP compliant.

### **WHAT IS REQUIRED OF AN APPRAISER PERFORMING PROPERTY TAX CONSULTING WORK OPERATING SOLELY UNDER A PROPERTY TAX CONSULTANT LICENSE?**

Standard 2 of USPAP stipulates that an appraiser has a clear duty not to mislead. Appraisers who are dually licensed as an appraiser and a property tax consultant, and who perform property tax consulting services under a property tax consultant license, must provide a written disclaimer stating that the work was prepared in their capacity as a property tax consultant, and that the resulting work may not be compliant with USPAP.

### **WILL THE USPAP DISCLAIMER LANGUAGE BE MANDATED?**

The Board has proposed a rule for adoption that requires the specific USPAP disclaimer language set out below be included whenever an appraiser dually licensed as a property tax consultant prepares work under a property tax consultant license. This rule could be adopted as soon as February 2013. In the meantime, the Board urges appraisers who are dually licensed to use this language on their U&E reports as soon as possible when applicable.

**USPAP DISCLAIMER: I AM LICENSED OR CERTIFIED AS A REAL PROPERTY APPRAISER AND A PROPERTY TAX CONSULTANT. THIS REPORT WAS PREPARED IN MY CAPACITY AS A PROPERTY TAX CONSULTANT AND MAY NOT COMPLY WITH THE REQUIREMENTS FOR DEVELOPMENT OF A REAL PROPERTY APPRAISAL CONTAINED IN THE UNIFORM STANDARDS OF PROFESSIONAL APPRAISAL PRACTICE (USPAP) OF THE APPRAISAL STANDARDS BOARD OF THE APPRAISAL FOUNDATION.**